

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

The City of Dalton, Georgia, acting through its Board of Water, Light and Sinking Fund Commissioners, d/b/a Dalton Utilities,

Plaintiff,

v.

3M Company; Daikin America, Inc.; EIDP, Inc. f/k/a E.I. DuPont de Nemours and Company; The Chemours Company; INV Performance Surfaces, LLC; Aladdin Manufacturing Corporation; Shaw Industries Group, Inc.; Shaw Industries, Inc.; and DOES 1-10,

Defendants.

Civil No. 4:24-cv-00293-WMR

**3M COMPANY'S MOTION TO DISMISS THE COMPLAINT**

Defendant 3M Company (“3M”) respectfully moves the Court to dismiss Plaintiff’s Complaint under Federal Rules of Civil Procedure 8(a) and 12(b)(6) for failure to state a claim. As described in its Brief in Support of its Motion to Dismiss, which is filed contemporaneously with this Motion, Plaintiff’s Complaint is deficiently pleaded, does not allege facts that would support any claim for relief against 3M, fails as a matter of law to state any legally actionable claims against 3M, and is otherwise legally meritless.

WHEREFORE, 3M respectfully requests that the Court grant this Motion and enter an order dismissing with prejudice Plaintiff's Complaint in its entirety as to 3M.

Respectfully submitted this 7th day of February, 2025.

/s/ Benjamin P. Harmon

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**CERTIFICATE OF SERVICE**  
**AND COMPLIANCE WITH LOCAL RULE 5.1**

I hereby certify that I have this date electronically filed the within and foregoing, which has been prepared using 13-point Century Schoolbook font, with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of records.

Dated: February 7, 2025

/s/ Benjamin P. Harmon  
Of Counsel